

PROB 12B
(7/93)

Report Date: September 28, 2010

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OCT 01 2010

JAMES R. LARSEN, CLERK
SPokane, Washington

Name of Offender: Kyle Scott Splattstoesser

Case Number: 2:05CR00194-001 - **RHW**

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 10/12/2006

Type of Supervision: Supervised Release

Original Offense: Possession of Child Pornography,
18 U.S.C. § 2252A(a)(5)(B)

Date Supervision Commenced: 9/18/2009

Original Sentence: Prison - 36 Months; TSR - 60
Months

Date Supervision Expires: 9/17/2014

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 20 You shall not access computers, computer networks, or other forms of wireless communications, or gain such access through third parties.
- 21 You shall have no contact with any child under the age of 18, without the presence of an adult and approved in advance by the supervising officer. You shall immediately report any unauthorized contact with minor-aged children to the supervising officer.
- 22 You shall submit your person, and any property, house, residence, vehicle, papers, computer, other electronic communications or data storage devices or media, and effects to search at any time, with or without a warrant, by any law enforcement or probation officer with reasonable suspicion concerning a violation of a condition of supervised release or unlawful conduct by the person, and by any probation officer in the lawful discharge of the officer's supervision functions.

CAUSE

On September 20, 2010, the offender reported as directed to his sex offender therapist, Ed Averett's office. Mr. Splattstoesser met with Mr. Averett and this officer to discuss our concerns with him. Mr. Splattstoesser admitted to this officer and his therapist that he met his latest girlfriend on-line. Additionally, he admitted to seeing her at her home with her underage children on three separate occasions. We discussed why this was problematic for him. The offender understood the concerns that probation and his therapist have for these activities with his Federal conviction. As a result, the offender agreed to the added modifications to his conditions for limited contact with minor children, no internet access, and the Adam Walsh Act search condition.

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On September 22, 2010, the offender agreed to sign the "Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision." The offender understood the rationale behind these added conditions and that he was waiving his right to a court hearing on these matters.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/28/2010

s/Brenda J. Kuest

Brenda J. Kuest

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

10/1/10

Date